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7 Attorneys for Defendant HITACHI HIGH TECHNOLOGIES
AMERICA, INC., a Delaware Corporation

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

11 | TA CHONG BANK LTD.,

Case No: C-08-02452-BZ

12 Plaintiff,

**DEFENDANT HITACHI HIGH
TECHNOLOGIES AMERICA, INC.'S
NOTICE OF MOTION AND MOTION
TO DISMISS PLAINTIFF TA CHONG
BANK, LTD.'S COMPLAINT
PURSUANT TO FED. R. CIV. P. RULE
12(b)(6)**

14 HITACHI HIGH TECHNOLOGIES
15 AMERICA, INC., a Delaware Corporation; and
16 DOES 1-10, inclusive,

Judge: The Honorable Bernard Zimmerman
Date: July 2, 2008
Time: 10:00 a.m.
Dept: Ctrm G, 15th Floor

1 TO ALL PARTIES AND THEIR ATTORNEY OF RECORD:

2 PLEASE TAKE NOTICE that on July 2, 2008 at 10:00 a.m. or soon thereafter as counsel
3 may be heard by The Honorable Bernard Zimmerman of the above entitled Court, located at 450
4 Golden Gate Avenue, San Francisco, California, Defendant Hitachi High Technologies America,
5 Inc. (“Defendant” or “HTA”) will move this court to dismiss the action pursuant to Fed. R. Civ.
6 P. 12(b)(6) because Plaintiff Ta Chong Bank, Ltd.’s complaint fails to state a claim upon which
7 relief can be granted.

8 This motion is based on this Notice of Motion and Motion, HTA’s Request for Judicial
9 Notice, all pleadings in the case, and such other arguments and evidence as may properly come
10 before the Court.

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12 DATED: May 20, 2008

VASQUEZ BENISEK & LINDGREN LLP

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15 By: /s/
16 RICHARD C. VASQUEZ
17 Attorneys for Defendant HITACHI HIGH
TECHNOLOGIES AMERICA, INC., a
Delaware Corporation

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